

THE ROLE OF THE CIVIL DIVISION AND ITS ATTORNEYS

As you plan your future career in the law, we invite you to consider a challenging and rewarding position as an attorney in the Civil Division. With over 700 attorneys, Civil is the largest Legal Division in the Department of Justice, and we offer new attorneys experiences that are unsurpassed elsewhere in the legal profession. We are committed to diversity in the work place, and welcome exceptional legal professionals whose insight and experiences will enhance our representation of the government and the American people.

The Civil Division represents more than 100 federal agencies, individual employees, Members of Congress, the federal judiciary, and the people of the United States — an impressive array of clients. The subject matter of the Division's litigation is as broad and diverse as the activities of the government itself. Many of its cases have significant domestic and foreign policy implications. The Civil Division defends the United States in suits challenging the constitutionality, lawfulness, or propriety of Presidential initiatives, federal statutes, and government programs and actions. It initiates litigation to enforce various federal statutes, including the nation's consumer protection and immigration laws, and defends against challenges to those statutes and associated enforcement activities. The Division handles litigation involving billions of dollars in areas such as fraud, international trade, patents, bankruptcies, claims against the government, and foreign litigation. The Division also litigates general tort claims, including those that involve toxic substances, aviation, admiralty, and the defense of federal officials sued personally for official actions. Our achievements include recovering more than \$500 million lost through fraud against health care and defense programs, protecting the President's foreign policy initiatives, defending Congressional efforts to shield children from pornography on the Internet, and protecting the Treasury from billions of dollars in claims arising from the government's commercial activities.

As a result of the demanding caseload, new attorneys are immediately involved in handling significant litigation for the Division. Unlike their counterparts in the private sector, Civil Division attorneys receive substantial responsibility for cases from the start. They determine strategy and tactics, prepare pleadings and briefs, and manage discovery and trial proceedings. In some instances attorneys handle cases alone while, in others, they share responsibility with another attorney or team of attorneys. Typically, during the first year with the Division, a new attorney may expect to have "first chair" litigation responsibility, either at the trial level or in the appellate courtroom.

The Civil Division's role within the legal community is one of responsibility, visibility, and importance. We invite you to consider joining us in serving the United States with honor and integrity.

[USDOJ ORGANIZATIONAL CHART](#)
[CIVIL DIVISION ORGANIZATIONAL CHART](#)

WHAT DOJ OFFERS YOU

In addition to an opportunity to be the counsel of record for the United States in cases having critical financial, political, and social impact, there are some other advantages that come with being a federal employee. No, we don't have the salaries that some major law firms offer, and yes, we fly coach. However, you will get all of the rewards of working for your country as well as good benefits.

DOJ attorneys have access to a full range of benefits and resources including,

- Annual leave (Vacation and personal days)
 - 0-3 years of government service = 13 days per year
 - 3-15 years of service = 20 days per year
 - 15 plus years of service = 26 days per year
- Sick leave - 13 days per year - which can be carried over *from year to year indefinitely*
- Federal Employees Retirement System
- Thrift Savings Plan - employees may contribute up to 11 percent of pay, tax-deferred until retirement, with the Government matching contributions up to 5 percent
- Group life insurance
- Group health insurance
- Transit Subsidy for employees who commute via public transportation
- Entitlement to a generous amount of accrued annual and/or sick leave (or leave without pay) to deal with a family medical crisis or death, or the birth or adoption of a child
- Incentive Awards Program (cash or honorary awards) for superior performance, special acts or services or suggestions deserving recognition
- Worklife Program which includes dependent care counseling and referral services, regular speaker series on personal and professional topics, manager/employee education on worklife issues and day care/child development center ("Just Us Kids")
- Justice Occupational Health Organization, a state-of-the-art gym that costs much less than a commercial health club membership
- Justice Federal Credit Union, a full service financial institution
- Employee Assistance Program for counseling and referral services
- Health units, which offer free health awareness/screening programs, emergency response/walk-in care and first aid
- Employee affinity groups such as:
 - DOJ Association of Black Attorneys
 - DOJ AHEAD (Association of Hispanic Employees for Advancement and Development)
 - Indian Trial Lawyers Association of DOJ
 - DOJ Pan Asia Employees Association
 - DOJ Pride (Gay, Lesbian and Bisexual employees)

AUTOMATION AND TECHNOLOGY

Civil Division attorneys have access to the full range of services needed to manage the tasks associated with litigation. Each attorney in the Division is connected through personal computer to the Justice Consolidated Operating Network (JCON). Through JCON, attorneys can access legal research tools such as Westlaw and Lexis, as well as E-mail, the Internet and the Department of Justice's own Intranet. JCON also provides staff support and a telephone "Help Desk" so that employees can get answers to their computing questions.

The Division also employs modern computer and imaging technology to store and retrieve massive volumes of materials enhancing the legal staff's effectiveness in conducting discovery, preparing for depositions, and presenting evidence at trials. Attorneys can identify and locate essential documents in a fraction of the time that would be required without automation. Civil Division attorneys devote their time and effort to dealing with issues of law, rather than swimming through a sea of documents in search of elusive facts.

Where circumstances warrant, such as in cases involving the evaluation of statistical data, completely customized databases can be created. Other special services, such as obtaining auditors, translators, and expert witnesses, are provided as the needs of the case demand. Laptop computers provide attorneys with access to office automation and their litigation support databases from home, while on travel, or at remote trial sites, wherever litigation takes them.

The Case Management System tracks cases from receipt through the trial and appellate stages, and into the accounts receivable stage. This database is the Division's primary tool for controlling and tracking its cases. The Automated Records Tracking System tracks the location and contents of case files that reside in the Division's file rooms.

Collectively, all of these features provide Civil Division attorneys with a modern, fully automated law office environment.

APPELLATE STAFF

- Employs approximately 60 lawyers
- Responsible for the appellate work of the entire Civil Division
- Handles the many cases that are appealed directly from administrative agencies to the courts of appeals

The Appellate Staff was established in 1953 by Warren Burger, then Assistant Attorney General of the Civil Division. Attorneys on the Staff draft briefs and argue cases in the courts of appeals. In addition, each attorney participates in drafting various documents for the United States Supreme Court, including petitions for *certiorari* and briefs on the merits.

Examples of our practice

The Appellate Staff handles numerous cases involving a wide range of constitutional issues. For example, the Appellate Staff has been repeatedly involved in important litigation challenging the way in which the census is conducted. In Wisconsin v. City of New York, the Supreme Court upheld the government's position that the Secretary of Commerce's determination of how to conduct the census was well within the constitutional bounds of his discretion, and the Secretary's decision not to statistically adjust census figures was not subject to heightened scrutiny.

The Appellate Staff has also been involved in a number of important cases involving federalism concerns. In Reno v. Condon, the Supreme Court rejected a Tenth Amendment challenge and upheld the constitutionality of the Driver's Privacy Protection Act, which restricts the dissemination of personal information contained in State motor vehicle records. The Court held that motor vehicle information is a "thing in interstate commerce," properly subject to federal regulation under the Commerce Clause. The Court's ruling is significant for all types of federal privacy regulations.

Another example of the type of constitutional issues litigated by the Appellate Staff is Humanitarian Law Project v. Reno, where the Court of Appeals upheld the constitutionality of provisions of the Antiterrorism and Effective Death Penalty Act of 1996 that prohibit material support by U.S. persons for entities designated by the Secretary of State as foreign terrorist organizations. Congress passed this statute after various other nations complained that international terrorist organizations were raising substantial funds in the United States. The court ruled that there was no First Amendment right to provide material support for foreign terrorist organizations.

In another important case, Dalton v. Specter, the Appellate Staff, working with the Solicitor General's office, successfully defended a suit that sought to enjoin the closing of a large naval shipyard under the Defense Closure and

Realignment Act of 1990. The Supreme Court held that the President's decision to close a shipyard could not be reviewed under the Administrative Procedure Act. The closing of the shipyard and the precedent the case established saved the government hundreds of millions of dollars.

COMMERCIAL LITIGATION BRANCH

- Largest branch in the Division with approximately 280 attorneys
- Attorneys work in one of six major areas: Civil Frauds, Contract Disputes and Other Claims Court Matters, Customs and International Trade, General Corporate/Financial Litigation, Intellectual Property, and Foreign Litigation
- Handles cases that involve billions of dollars in claims both by and against the government

Civil Fraud attorneys litigate many of the Division's cases that have the highest monetary stakes. Working with the U.S. Attorneys' offices, Branch attorneys recover hundreds of millions of dollars each year from individuals and corporations who have defrauded the government through federal contracts, Medicare and other federal health insurance programs, subsidies, grants, and loans -- wherever the government's money is at stake. A primary source for the section's cases are actions filed by whistle-blowers pursuant to the *qui tam* provisions of the False Claims Act.

Example of our practice

Columbia/HCA, the largest for-profit hospital chain in the country, has been the subject of one of the most significant health care fraud investigations ever launched by the Government. In December 2000, HCA agreed to pay the Government \$745 million to resolve five issues, including outpatient laboratory billing, upcoding, home health billing, home health community education and home health management fees. The section continues to litigate cost report fraud and anti-kickback violations.

National Courts attorneys working on Contract Disputes and other Court of Federal Claims matters serve as the "U.S. Attorney" for the United States Court of Federal Claims and the United States Court of Appeals for the Federal Circuit. This includes contract cases arising under the Contract Disputes Act of 1978 and bid protest actions seeking declaratory and injunctive relief.

Examples of our practice

A substantial number of contract disputes arise in the context of weapon systems procured by Department of Defense agencies, or the passage of statutes or agency actions alleged to infringe upon contract rights. In McDonnell Douglas and General Dynamics v. United States, plaintiffs challenge the termination of a contract for the Navy's A-12 "stealth" aircraft. Aside from the \$4

billion at stake, the case involves two significant policy issues: the authority of senior agency officials to manage major programs for which they are responsible; and the Executive Branch's ability to control access to highly classified information.

Branch attorneys are also responsible for litigation arising from appeals of Court of Federal Claims' decisions, petitions for review of Merit Systems Protection Board (MSPB) decisions under the Civil Service Reform Act of 1978, appeals from agency contract appeals boards' decisions, appeals from the Court of Veterans Appeals, and a limited number of appeals from Federal district courts. In two MSPB appeals, for example, the Supreme Court sustained the authority of Federal agency managers to determine who should have access to classified information (Dept. of the Navy v. Egan), and to discipline Federal employees for lying to investigators (Erickson v. United States).

Customs and International Trade attorneys represent the United States in all international trade and customs matters before the Court of International Trade and the Court of Appeals for the Federal Circuit. The Branch attorneys defend the imposition of special duties upon dumped or subsidized imports, prosecute civil customs fraud violations, and counterattacks against our international trade agreements.

Examples of our practice

In United States v. Pentax, the Government obtained a \$20 million penalty from the Pentax Corporation, its parent corporation, and one of its affiliates, for importing camera equipment from the People's Republic of China, but intentionally labeling the equipment as having been assembled in Hong Kong. In American Bayridge Corp. v. United States, attorneys defended the United States Customs Service in an action in which a Canadian manufacturer and exporter of lumber to the United States attempted, by slightly processing its lumber, to circumvent a United States/Canadian agreement limiting the amount of raw lumber which can be exported to the United States at low cost.

General Corporate / Financial Litigation attorneys conduct affirmative and defensive litigation to promote and protect the interests of the United States in commercial matters involving large sums of money. These matters include corporate restructuring proceedings, contract disputes, and federal loan, subsidy and insurance programs.

Examples of our practice

Attorneys have represented the Rural Utilities Service (formerly the Rural Electrification Administration) in bankruptcies and other litigations involving nearly \$10 billion in defaulted loans made to rural electric cooperatives. Additionally, section attorneys have worked to recover hundreds of millions of dollars in Medicare overpayments and health care fraud in numerous chapter 11 bankruptcy proceedings, including five of the seven largest nursing home chains

– each owning approximately 300 to 450 facilities.

Intellectual Property attorneys defend the United States against allegations of patent and copyright infringement in the United States Court of Federal Claims and the United States Court of Appeals for the Federal Circuit.

Example of our practice

In Williams & Wilkins v. United States, a publisher of medical journals brought suit alleging that its copyrights were infringed by the photocopying of articles in the journals for the interlibrary loan program operated by the National Library of Medicine. The Court of Claims held that the library's program was a "fair use" of the copyrighted journals. The decision in this case of first impression is one of the seminal decisions interpreting the fair use of provisions of the copyright law.

Foreign Litigation attorneys coordinate and oversee the representation of the U.S. in foreign proceedings. Attorneys also represent the government in some domestic cases involving questions of international and foreign law.

Examples of our practice

In a case of first impression, a Canadian appellate court affirmed a lower court ruling recognizing and enforcing a \$4.6 million judgment of a U.S. district court based on the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Separately, the U.S. recently recovered \$3 million from bank accounts in Antigua for the Federal Trade Commission to provide restitution to victims of fraud resulting from an illegal pyramid scheme operated over the Internet.

FEDERAL PROGRAMS BRANCH

- Over 100 attorneys are employed by the Federal Programs Branch
- The Branch litigates on behalf of approximately 100 federal agencies, the President and Cabinet officers, and other government officials

Activities in the Federal Programs Branch include the defense against constitutional challenges to federal statutes, suits to overturn government policies and programs, and attacks on the legality of government decisions. The Federal Programs Branch also initiates litigation to enforce regulatory statutes and to remedy statutory and regulatory violations.

Federal Programs' attorneys have the opportunity to handle diverse issues from a variety of subject areas.

National Security, Foreign Relations, and Law Enforcement – Attorneys are involved in critical and highly visible litigation on behalf of the Departments of State, Treasury and Defense. The Branch has represented these departments in cases involving international terrorism and treaties.

Interstate and Foreign Commerce – Attorneys represent the Treasury Department in litigation challenging economic sanctions and commerce laws.

Government Agencies and Corporations – Attorneys defend a variety of agencies, including the Postal Service, the Department of Veterans Affairs, and the White House.

Nondiscrimination Personnel Litigation – Attorneys handle cases involving constitutional, statutory, and other issues of appointment and removal of officers and employees of the United States, including Presidential appointees. This area also includes First Amendment, Fourth Amendment, and other constitutional challenges to government-wide statutes.

Discrimination in Employment Litigation – Attorneys defend against suits alleging discrimination in federal employment under the U.S. Constitution and a number of federal statutes and Executive Orders. The Federal Programs Branch defends a number of complex Title VII class actions, as well as high-profile or novel individual cases. Since the authorization of compensatory damages and jury trials in 1991, this field of litigation has seen explosive growth in both the number and complexity of cases.

Human Resources – Attorneys focus on challenges to the wide variety of programs administered by the Department of Health and Human Services (HHS) and the Department of Education.

Interior, Agriculture, and Energy Concerns – Attorneys handle a variety of cases including USDA's commodity marketing and promotion order programs, the Food Stamp program, and meat safety and inspection services.

Housing and Community Development – Attorneys address housing and housing-related cases involving the rights of tenants in federally-subsidized housing, the government's obligations to public housing authorities (PHAs), the disposition of HUD-owned mortgages, rural housing programs, and housing for the homeless.

Freedom of Information and Privacy – Attorneys defend against lawsuits seeking documents used or created by government agencies. This includes litigation over

materials related to FBI actions and the documents related to FBI investigations, including the FBI's crime lab and its handling of evidence.

Regulatory Enforcement and Defensive Banking Litigation – Attorneys ensure compliance with federal statutes and regulations by initiating enforcement actions on behalf of federal agencies.

Disability Litigation – Attorneys handle nationwide, class-action lawsuits attempting to effect substantive changes in the Social Security Administration's regulations and procedures.

Examples of our practice

Internet/pornography litigation

The Federal Programs Branch has defended Congress' efforts to restrict the access of children to pornography that is otherwise accessible to them over the Internet. The Branch first defended the Communications Decency Act (1996-1997) and, more recently, has been defending the Child Online Protection Act. The litigation has presented complex issues of First Amendment law, the application of new technology to information access, and balancing such access against the compelling public interest of protecting children from harmful, sexually-explicit materials.

Holocaust-related matters

From 1998 to 2001, Federal Programs Branch attorneys assisted the State Department in multilateral negotiations leading to the creation of funds to make payments to victims of the Nazi era in Germany, Austria, and France. The Branch also participated in private class action litigation in the United States to support the parties' efforts to obtain dismissals of such litigation in order to allow payments from the funds to take place.

International terrorism

The Federal Programs Branch has represented the Departments of State, Treasury and Defense in a series of cases in which victims of international terrorism tried to satisfy multi-million dollar court judgments that these victims had obtained against Cuba and Iran. The plaintiffs in these cases tried to attach Cuban and Iranian assets in the United States that had been "blocked" under emergency government sanction programs, including funds from the U.S. Foreign Military Sales program and buildings that were formerly part of the Iranian Embassy compound in Washington, D.C.

OFFICE OF CONSUMER LITIGATION

- Employs approximately 25 attorneys
- The Branch enforces the nation's consumer protection laws and defends the federal agencies that administer those laws
- Attorneys handle civil and criminal cases at both the trial and the appellate levels

The Office of Consumer Litigation (OCL) is responsible for criminal and civil litigation and related matters arising under a variety of federal statutes that protect public health and safety and that are administered by its client agencies: the Food and Drug Administration, the Federal Trade Commission, the Consumer Product Safety Commission, and the National Highway Traffic Safety Administration. The Office also enforces statutes that regulate unfair and deceptive trade practices, and defends government programs and policies in consumer-related areas. In the course of its work, OCL has made its priority protecting consumers who are, because of our complex economy, unable to protect themselves from dangerous, unfit, or worthless products.

Examples of our practice

Generic Drugs

OCL has led the prosecution of generic drug manufacturers who obtained FDA approval of various generic drugs through the submission of falsified test data. Some 19 companies and 60 individuals have either pled guilty or been convicted at trial. Fines totaling more than \$51 million and jail sentences of up to five years have been imposed. The investigation has also resulted in the withdrawal of hundreds of new drug approvals, the debarment of scores of individuals from the pharmaceutical industry, and the entry of civil injunctions against additional firms and individuals.

Odometer Enforcement

OCL prosecutes individuals who make a business of purchasing relatively new, high-mileage, used cars, turning back their odometers, and reselling them. Typical prosecutions involve hundreds to thousands of odometers that were rolled back over a period of several years. These conspiracies usually operate over several states, making detection and prosecution by state authorities virtually impossible. Victims typically suffer significant economic damage from these crimes.

Unsafe Consumer Products

At the request of the Consumer Product Safety Commission (CPSC), OCL brings civil penalty actions against companies which have introduced unsafe products into interstate commerce in violation of the Federal Hazardous Substances Act or which have violated the Consumer Product Safety Act by failing to report to the CPSC that a consumer product may be defective. For instance, OCL obtained a civil penalty of \$725,000 against a leading manufacturer of children's products for failing to report to the CPSC that openings between steel bars in the

company's toddler beds and in accessory guardrails presented a risk to small children of head/neck entrapment and consequent strangulation.

OFFICE OF IMMIGRATION LITIGATION

- Employs approximately 90 attorneys
- Conducts civil trial and appellate litigation under the immigration and nationality laws and has both affirmative and defensive litigation responsibilities
- Represents agencies that regulate the movement of aliens across and within our country's borders

The Office of Immigration Litigation (OIL) responds to the review petitions by individual aliens challenging orders of removal, denials of political asylum, and other discretionary immigration benefits. OIL also handles petitions seeking review of employer sanctions and appeals from district court immigration decisions. Before the district courts, OIL responds to *habeas corpus* actions seeking to thwart detention or deportation, and to individual suits and class actions challenging immigration policy and enforcement actions. Such litigation often involves complex issues of administrative law and substantial constitutional questions. OIL attorneys may be assigned to handle particular cases individually or in concert with Assistant U.S. Attorneys and INS counsel.

Examples of our practice

In INS v. Elias-Zacarias, a claimant sought political asylum in the United States based upon his alleged fear of recruitment by guerrilla forces in his native Guatemala. The Ninth Circuit Court of Appeals reversed the decision by the Attorney General's delegate to deny asylum. The Supreme Court subsequently held that the lower federal courts may not reverse decisions by the Attorney General denying asylum, absent evidence sufficient to compel any reasonable fact finder to conclude that asylum must be granted.

In INS v. Lopez-Mendoza, the plaintiff challenged his deportation order by alleging that he admitted to being present in this country illegally only after being subjected to an unlawful arrest by agents of the Immigration and Naturalization Service. The Supreme Court determined that the Fourth Amendment's exclusionary rule does not apply to deportation proceedings. Consequently, the Court found that the civil nature of proceedings to remove criminal and other illegal aliens from the United States means that the various Constitutional protections that apply in the context of a criminal trial do not apply in a deportation case.

TORTS BRANCH

- Approximately 130 attorneys are employed by the Torts Branch
- Attorneys are divided among four sections: Aviation and Admiralty; Federal Tort Claims Act; Environmental Torts; and Constitutional and Specialized Torts
- The Torts Branch represents the interests of the United States in suits where monetary judgments are sought for damages resulting from negligent or wrongful acts. The Branch also handles actions involving injury or damage to government property

Aviation and Admiralty tort litigation arises from the Government's varied activities in the operation of the air traffic control system, the regulation of air commerce, weather services, aeronautical charting, and the government's own civil and military aircraft. Numerous cases also arise from the extensive flight activities of private, business, and military aircraft. Cases have ranged from the Korean Air/Guam crash to the Cavalese cable-car accident. The office's admiralty practice is diverse, with cases ranging from oil spills, ship collisions and groundings, to cargo damage cases, damaged sea grass beds, search and rescue, and injured seaman and shore worker cases.

Examples of our practice

From the dramatic oil spill of the *EXXON VALDEZ* in Prince William Sound, Alaska, to the grounding of the *QE II* off Cape Cod, the office is regularly involved in significant litigation involving environmental, maritime, and economic loss issues. The *QE II* litigation addressed the responsibilities of the government when it charts United States navigable waters, the obligations of ship captains who operate vessels in those waters, and whether on-board businesses can recover for consequential losses arising from down-time for repairs.

When the *EXXON VALDEZ* lost over one million gallons of oil in Prince William sound in 1989, the Civil Division joined with the Environment and Natural Resources Division and various criminal prosecuting offices to recover over \$1 billion in damages and fines. As a result of the incident, Congress enacted the Oil Pollution Act of 1990, under which the Civil Division has since been involved in recovery of clean-up costs for several large pollution incidents, such as the *BERMAN* (\$60 million recovery), *GLACIER BAY* (1994), and *NEW CARISSA* (2000).

Federal Tort Claims Act (FTCA) cases are varied. Those cases handled by section litigators include traditional problems in tort law, such as medical malpractice and other personal injury litigation, as well as seminal issues arising in areas as diverse as regulatory agency activities, wild animal attacks in national parks, and professional malpractice. The section also handles litigation brought by persons who contracted AIDS allegedly due to government negligence in the course of blood transfusions or other medical procedures. Section attorneys protect the United States from exposure to excessive liability, and from second-guessing of governmental policy decisions

through tort litigation.

Example of our practice

In Anderson, et al. v. United States the court ruled for the United States finding the decision to set a controlled burn fire, the United States' acts taken in controlling that fire, and its suppression efforts, were all protected by the FTCA's discretionary function exception. The court also found that the plaintiffs failed to prove by a preponderance of the evidence that any negligence on the part of the Forest Service caused their damages (the destruction and damage of homes and personal property).

Most of the work of the **Environmental Torts (ET)** Section arises from government contractor or military activities, and from environmental regulatory activity. The cases often involve hundreds of plaintiffs alleging injuries caused by air, surface water, or groundwater contamination, or by direct contact with hazardous substances. The contaminants at issue include chemicals, as well as fuels, carbon monoxide, and bacteria. These actions usually are brought under the FTCA, but are also premised upon admiralty and contract law, or various environmental statutes. Due to the complexity of such tort matters, ET typically handles these issues, rather than delegating them to the United States Attorneys Offices.

Examples of our practice

By the time the asbestos products industry effectively gave up its pursuit of the government in 1996, the United States had paid out a mere \$65,000 in one judgment and two settlements, and the cases against it reached trial only three times -- the latter factor representing enormous savings. Section attorneys won significant victories on every front, in both tort and contract, resulting in final adjudications dismissing more than 10 billion dollars in claims. Building upon its successes in asbestos litigation, the section handled numerous contract cases in which Agent Orange manufacturers sought reimbursement from the taxpayers for millions of dollars that they paid out in settlement to Vietnam veterans. The Agent Orange contract litigation culminated in the government's landmark victory in Hercules, Inc., et al. v. U.S., where the Supreme Court determined that Agent Orange manufacturers were not able to seek government reimbursement for third-party tort claims in the absence of express or implied provisions in the contract between the government and the manufacturer.

Environmental Torts' expertise in managing high-visibility, high-stakes cases was instrumental in litigation which arose in the wake of the Department of Energy's institution of an "openness" policy relating to Cold War-era nuclear programs. The section has been responsible for the defense of all claims and litigation relating to human radiation experiments and research into the medical uses of radiation.

Constitutional and Specialized Torts Litigation (CSTL) staff represents individual federal employees for alleged constitutional, common law, and statutory tort both directly and by monitoring and guiding the work of U.S. Attorneys' offices. The subject matter varies widely, from the actions of law enforcement officers at the Branch Davidian compound to medical malpractice.

Examples of our practice

Many of the lawsuits CSTL defends arise out of failed attempts to execute lawful warrants. For example, Constitutional Torts attorneys successfully defended five individual capacity suits the Branch Davidians and their survivors filed against high level federal officials and line agents arising from the attempted execution of search and arrest warrants for David Koresh at the Branch Davidian Compound in Waco, Texas, in early 1993. Plaintiffs alleged that all defendants used or conspired to use excessive force during the initial execution of the warrants, the standoff and the attempt to end the standoff. Following intense motions practice and discovery, all individual federal defendants were dismissed from the case prior to trial.

TOBACCO LITIGATION TEAM

The Tobacco Litigation Team is comprised of approximately 25 attorneys and was established in 1999 to bring lawsuits against the tobacco manufacturers to recover federal health care costs associated with tobacco use. Over the last several years, state attorneys general have also brought massive statewide lawsuits to recover Medicaid and other expenditures associated with tobacco use. The Tobacco Litigation Team is proceeding with extensive discovery and preparing claims against tobacco manufacturers under the Racketeer Influenced and Corrupt Organizations Act (RICO).

APPLYING

Visit the [Office of Attorney Recruitment](#) for a listing of the current Civil Division vacancies.

Please apply in the method specified in each advertisement.

=====

To obtain information on

- Current attorney vacancies at the Department of Justice
- Lateral/Experienced attorney hiring
- Attorney General's Honor Program for entry-level attorney positions
- Summer Law Intern program for compensated Summer internships
- Volunteer Opportunities

visit the Department's Office of Attorney Recruitment and Management Web site at www.usdoj.gov/oarm.

The Department of Justice is an Equal Opportunity/Reasonable Accommodation Employer. Except where otherwise provided by law, there will be no discrimination because of color, race, regional, national origin, politics, marital status, disability, age, sex, sexual orientation or on the basis of personal favoritism.

The Department of Justice welcomes and encourages applications from persons with physical and mental disabilities

and will reasonably accommodate the needs of those persons. The Department is firmly committed to satisfying its

affirmative obligations under the Rehabilitation Act of 1973, to ensure that persons with disabilities have every opportunity to be hired and advanced on the basis of merit within the Department of Justice.